

UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT

MANDATE

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 27th day of June, two thousand and twenty-three.

Towaki Komatsu,

Petitioner,

v.

The City of New York, Howard Redmond, NYPD Inspector, sued in individual and official capacities, Ralph Nieves, former NYPD Lieutenant, sued in individual and official capacities, Karl Pfeffer, NYPD Officer (Officer ID #: 48458), sued in individual and official capacities, Cruz, NYPD Officer (badge #: 751), sued in individual and official capacities, Hansen, NYPD Officer (badge #: 4028), sued in individual and official capacities, Christopher Fowler, NYPD Officer (badge #: 3185), sued in individual and official capacities, Lance, NYPD Officer (badge #: 245), sued in individual and official capacities, Juanita Holmes, NYPD Officer, sued in individual and official capacities, Eric L. Adams, sued in his official capacities, James O'Neill, former NYPD Commissioner, sued in individual and official capacities, Richard Mantellino, NYPD Lieutenant, sued in his individual and official capacities, Nicholas Mason, NYPD Detective, Shield #6995, In their individual and official capacities, Mitchell, NYPD Officer, Shield #5486, In their individual and official capacities, Raymond Gerola, NYPD Detective, Shield #6577, In their individual and official capacities, Rachel Atcheson, In their individual and official capacities, Jessica Ramos, In their individual and official capacities, Marco Carrion, Howard Miller, Dustin Ridener, Santana, NYPD Officer (shield #7291), Pinny Ringel, Nick Gulotta, Eric Phillips, Gale Brewer, James Clynes, Keck, NYPD Officer (shield #6313), Baez, NYPD Officer (shield #5984), Jerry Iovenio, NYPD Officer (shield #5560), Keith Dietrich,

ORDER

Docket No. 23-946

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 12/1/2023

MANDATE ISSUED ON 12/01/2023

NYPD Officer (shield #5779), Alvin Bragg, sued in their individual and official capacities, Lawrence Byrne, Jr., sued in their individual and official capacities, Bill De Blasio, sued in their individual capacity, Shauna Stribula, NYPD Officer Ranieri, Shield # 24361, NYPD Officer Suzuki, Shield # 7373, NYPD Officer Jerry Iovenio, NYPD Officer Joe Ventri, NYPD Officer Jemaal Gungor, NYPD Sergeant Jordan Mazur, NYPD Officer Edward Klein, NYPD Officer Zappia, Shield #4152, NYPD Officer Barker, Shield #13845, NYPD Detective Stephen Halk, NYPD Sergeant Ryan Dwyer, Galante, NYPD Detective All of the defendants listed above who are people are being sued in their individual and official capacities, Letitia A. James, All of the defendants listed above who are people are being sued in their individual and official capacities, Brad Lander, All of the defendants listed above who are people are being sued in their individual and official capacities, Anthony Shorris, All of the defendants listed above who are people are being sued in their individual and official capacities, Ritchie Torres, All of the defendants listed above who are people are being sued in their individual and official capacities, Sergeant Bradley, All of the defendants listed above who are people are being sued in their individual and official capacities, Rafael Perez, All of the defendants listed above who are people are being sued in their individual and official capacities, NYPD Officer Lin, (shield #: 25714), All of the defendants listed above who are people are being sued in their individual and official capacities, Keith Powers, All of the defendants listed above who are people are being sued in their individual and official capacities, Kalman Yeger, All of the defendants listed above who are people are being sued in their individual and official capacities, Diana Ayala, All of the defendants listed above who are people are being sued in their individual and official capacities, Andrew Berkowitz, NYPD Officer (badge #: 7141), sued in individual and official capacities, John Doe 8-30-17a, NYPD Officer, sued in individual and official capacities, John Doe 1, NYPD Officer, 9/14/17, Shield #21250, In their individual and official capacities, Tablet 9/26/17, NYPD Officer 9/26/2017, NYPD Officer 9/27/2017, NYPD Officer 9/28/2017, NYPD Officer 10/26/17 All of the defendants listed above who are people are being sued in their individual and official capacities, John Doe #2, NYPD, 9/14/17, in their individual and official

capacities, NYPD Officer 9/26/17, NYPD Officer 9/27/17, NYPD Officer 9/28/17, 10/4/17, sued in their individual and official capacities, NYPD 10/26/17 All of the defendants listed above who are people are being sued in their individual and official capacities, John Doe #3, NYPD, 9/14/17, in their individual and official capacities, NYPD Officer 9/27/17, NYPD Officer 9/28/17, NYPD 10/26/17 All of the defendants listed above who are people are being sued in their individual and official capacities, John Doe #4, NYPD, 9/14/17, In their individual and official capacities, NYPD Officer 9/27/17, John Doe #5, NYPD 9/14/17, In their individual and official capacities, John Doe 6, NYPD 9/14/17, In their individual and official capacities, John Doe 7, NYPD, 9/14/17, In their individual and official capacities, John Doe #8, NYPD, 9/14/17, In their individual and official capacities, Jane Doe, 11/13/19, All of the defendants listed above who are people are being sued in their individual and official capacities, Jane Doe 1, 9/14/17, NYPD Officer 9/26/17, NYPD Officer 9/28/17, 10/12/17, Jane Doe 2, 9/14/17, NYPD Officer 9/26/17, NYPD Officer 9/28/17, Jane Doe 3, 9/26/17, NYPD Officer 9/26/17, NYPD Officer 9/28/17,, Jane Doe 4, NYPD Officer 9/28/17, NYPD Officer John Doe 1, 10/4/17, sued in their individual and official capacities, 11/2/17, All of the defendants listed, above who are people are being sued in their individual and official capacities, 11/27/17, All of the defendants listed, above who are people are being sued in their individual and official capacities, NYPD Officer John Doe 2, 10/14/17, sued in their individual and official capacities,, Jane Doe 10/12/17, John Doe 2 10/14/17, sued in their individual and official capacities, Bronx DA John Doe Bodyguard, sued in their individual and official capacities, NYPD Officer John Doe 1 10/12/17, NYPD Officer John Doe 2 10/12/17, NYPD John Doe 3 10/12/17, NYPD Officer John Doe 4 10/12/17, NYPD Officer John Doe 5 10/12/17, NYPD Officer John Doe 6 10/12/17, Officer Jane Doe 1 10/12/17, NYPD Officer Jane Doe 2 10/12/17, NYPD Officer Jane Doe 3 10/12/17, NYPD Officer Jane Doe 4 10/12/17, Jane Doe 10/18/17, NYPD Officer John Doe 10/18/17, NYPD John Doe 2 10/18/17, NYPD John Doe 6 10/18/17, NYPD John Doe 2, 10/25/17, 3/18/19, 11/27/17, All of the defendants listed above who are people are being sued in their individual and official capacities, NYPD

John Doe 3, 10/25/17, NYPD John Doe 6, 10/25/17,
NYPD John Doe 1, 10/25/17, 3/18/19, NYPD John Doe
4, 10/25/17, 3/18/19, NYPD John Doe 5, 10/25/17,
3/18/19,

Respondents.

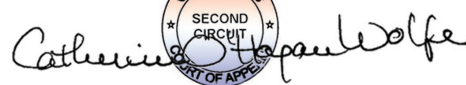

On November 3, 2021, this Court entered an order in *Komatsu v. City of New York*, 21-511 (L), 21-1111 (Con), 21-1495 (Con), 21-1661 (Con) requiring appellant to file a motion seeking leave of this Court prior to filing any future appeals.

A notice of appeal in the above referenced case was filed. The Court has no record that appellant sought the Court's permission to appeal prior to filing the notice of appeal.

IT IS HEREBY ORDERED that this case is dismissed effective July 18, 2023 unless a motion seeking leave of this Court is filed by that date.

For The Court:

Catherine O'Hagan Wolfe,
Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit